



United States Environmental Protection Agency  
Regional Administrator  
Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604-3590

APR 22 2014

The Honorable Richard J. Durbin  
United States Senate  
Washington, D.C. 20510

Dear Senator Durbin:

Thank you for your April 3, 2014 letter about the S.S. Badger, Lake Michigan car ferry.

The Consent Decree entered last year in *United States of America v. Lake Michigan Trans Lake Shortcut, Inc., d/b/a Lake Michigan Carferry* (LMC) prohibits the S.S. Badger from discharging coal ash after this year's sailing season and backs up that requirement with court-imposed sanctions for noncompliance. The Consent Decree also limits mercury, sulfur and ash content of coal used by the Badger and requires reductions in both the amount of coal combusted and the amount of ash discharged each day through the end of the 2014 sailing season.

There has been significant progress since the Consent Decree was entered. The amount of coal ash discharged by the Badger during the 2013 sailing season was approximately 30 percent less than in 2012. During the 2014 sailing season, the Consent Decree requires the Badger to reduce coal ash discharges an additional 15 percent – and LMC has provided assurances that those reductions will be achieved.

The U.S. Environmental Protection Agency is committed to eliminating *all* discharge of coal ash from the S.S. Badger at the end of the 2014 sailing season, as required in the Consent Decree. The Agency will not agree to any extensions of this deadline.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Ronna Beckmann or Eileen Deamer, the Region 5 Congressional Liaisons, at (312) 886-3000.

Sincerely,

A handwritten signature in black ink, appearing to read "S Hedman", is written over a horizontal line.

Susan Hedman  
Regional Administrator